IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.1065 OF 2005

WITH

CIVIL APPLICATION NO.1293 OF 2005

Anand Jayant More ..Appellant.

Vs.

Smt.Chandrabhaga Pandurang Mhatre

& Ors. ..Respondents.

...

Mr.Avinash Fatangave for the Appellant.

CORAM : DR.D.Y.CHANDRACHUD, J.

5th December, 2005.

P.C. :

The injunction has been correctly refused in a suit for specific performance. The Learned Trial Judge has noted that the agreement is of 1992 and the suit was instituted almost 12 years thereafter in the year 2004. The Learned Trial Judge has further noted that the thumb impression

on the agreement to sell has not even been attested. In the circumstances, there is no merit in the Appeal which is accordingly dismissed.

In view of the disposal of the Appeal from Order, the Civil Application is rendered infructuous and is accordingly disposed of.